

M

Form II-27-100,000-21-5-52.

(52)

H O M E

(195⁴⁸) Department.

MS SERIES.

G.O. No. 4733

Dated 7-5-1948.

[Despatch Abstract.]

Law Officers - Mafussal - Public Prosecutors, Additional Prosecutors, and Government Pleaders - Scale of fees and retainer - Precise of Standing Orders - Amended. *Public*

GOVERNMENT OF MADRAS.

ABSTRACT.

LAW OFFICERS - Mufassal - Public Prosecutors, Additional
Public Prosecutors and Government Pleaders - Scale of fees
and retainer - Precis of Standing Orders - Amended.

HOME DEPARTMENT.

G.O.MS.NO.1736.

DATED 7th May, 1948.

Read:-

I.

G.O.No.Ms.4350, Home, d/25-10-1940.
G.O.No.Ms.1753, Home, d/ 2- 6-1944.
G.O.No.Ms.1114, Home, d/11- 4-1946.
G.O.No.Ms. 990, Home, d/13- 3-1947.

II.

Memorial from the Secretary, the Public
Prosecutors' Association, No.Nbl, d/12-10-46.

--

ORDER:

The Government have considered the representations made by the Public Prosecutors' Association in their communication cited above in regard to the revision of the rates of fees etc., to the law officers in the mufassal and they sanction with effect from 1st April 1948, daily fees and retainer as shown below:-

(a) Public Prosecutors--Daily fees:-

(1) the fee for cases which take more than 3 hours will be Rs.35/-; the existing fee of Rs.15/- being retained for cases which take less time;

(2) the maximum fee for the whole day is raised from Rs.35/- to Rs.50/-;

(3) the daily fee for work in outlying areas is enhanced to Rs.50/-.

additional Public Prosecutors will be allowed fees on the same scale as Public Prosecutors.

(b) Government Pleaders and Public Prosecutors-Retainer:-

(1) where the posts of Government Pleader and Public Prosecutor are bifurcated, a retainer of Rs.1000/- per annum will be paid to Public Prosecutors; but the retainer of Rs.75/- per mensem to Government Pleaders will remain the same.

(2) where the posts are combined, the incumbent of the combined posts will be paid Rs.100/- per mensem, the retainer for Vizagapatam Agency remaining the same.

2. The extra expenditure should be debited to "27.B. Administration of Justice--Law officers--C. Allowances and Honordria--Honoraria {Fees to Government Pleaders} --Voted".

3. The following amendments will be made to the precis of standing Orders relating to the duties and remuneration of Law officers of the Government in the mufassal issued with G.O.Ms.No.4350, Home, dated 25th October, 1940, as subsequently amended:-

AMENDMENTS.

In Part I of the annexure to the said Government Order--

(1) for Standing Order 10, the following shall be substituted, namely:-

*10. Retaining fee of Government Pleaders and Public Prosecutors.

"In districts where the offices of the Government Pleader and Public Prosecutors are combined, a uniform retaining fee of Rs.100 per mensem will be paid to the holder of the two offices and if the offices are separate, the Government Pleader will be paid a retaining fee of Rs.75/- a month and the Public Prosecutor Rs.1000 per annum. The Government pleader and Public Prosecutor Agency Division in the Viaagapatam District will be paid a retaining fee of Rs.25/- a month. Additional Public Prosecutors will not receive a retaining fee.

NOTE: The Government Pleader and the Public Prosecutor, Coimbatore and the Nilgiris districts will not ordinarily be required to proceed to the Nilgiris on duty and the District Magistrate of the Nilgiris will arrange locally for the conduct of civil and criminal cases on the terms hitherto ~~in~~ in force. In exceptional cases, where the presence of the Government Pleader and Public Prosecutor in the Nilgiris is found necessary, the District Magistrate may make special arrangements with him reporting the terms for the approval of the Government".

(2) in Standing Order No.14 in rule (1)

(i) for the second and third sentences in the first paragraph ~~of~~ the following shall be substituted:-

"The maximum daily fee payable to the Public Prosecutor and Additional Public Prosecutor is Rs.35/- for each case, a period of three hours or more being taken, for purposes of calculation, as constituting a day's work in court, and Rs.15/- being the maximum fee allowed for a case occupying less than three hours in court, provided that when the Public Prosecutor or Additional Public Prosecutor is engaged in more than one case on the same day the maximum fee payable for the whole day shall not ordinarily exceed Rs.50/-".

(ii) for the second paragraph the following words and figures shall be substituted, namely:--

"for conducting criminal cases in outlying stations Public Prosecutors and Additional Public Prosecutors will be allowed a fee of Rs.50/- for each day spent in Court or occupied in travelling.

(BY ORDER OF HIS EXCELLENCY THE GOVERNOR).

O. Pulla Reddi,
Secretary to Government,

To
The Hon'ble the Chief Justice, High Court, Madras.
All District and Sessions Judges. *Magistrate*
The Accountant-General through the Finance Department.
Government Pleaders, Public Prosecutors, and Additional
Public Prosecutors through Collectors and District Magistrates.
Finance Department.

/True Copy/

KP/6/1/54.

R. Thiagarajan 7-1-54
OFFICE ASSISTANT
MADRAS RECORD OFFICE.
12/11 13/11